

REMARKS

Review and reconsideration of the Office Action of July 22, 2005, is respectfully requested in view of the above amendments and the following remarks.

First, Applicants respectfully point out to the Examiner that Claims 1-12 were cancelled by the Preliminary Amendment filed November 18, 2003. The pending Claims are 13-24. Claims 13-24 correspond respectively to Claims 1-12.

Claims 25-26 have been added. Support for new claims 25-26 can be found on Figures 1-10, specially Figures 2, 6-8, and 10.

No new matter has been added to the claims by this amendment.

Compared with Claim 13 (old Claim 1), the reference fails to teach: 1) the carrier element for anchoring the filter; 2) the filter itself; and 3) the securing element and the carrier element interconnect.

Applicants note that the cited references teach two securing elements (40, 42) for anchoring the catheter but fail to teach a carrier element for anchoring a filter and the filter itself.

Office Action

Turning to the Office Action, the paragraphing of the Examiner is adopted.

Claim Objections (Formalities)

The Examiner objects to Claims 4-6, 8, and 10 because of informalities.

The position of the Examiner can be found on page 2 of the Office Action.

Applicants reviewed the file and note that Claims 1-12 were cancelled by the Preliminary Amendment filed November 18, 2003. The pending Claims are 13-24. Claims 13-24 correspond respectively to Claims 1-12.

In response, Applicants has amended the claims to overcome the formalities rejections.

Accordingly, withdrawn of the objection is respectfully requested.

Claims Rejections (Anticipation)

The Examiner rejects Claims 1, 8-9, and 11-12 under 35 U.S.C. 102(b) as being anticipated by Bierman (USPN 4,711,636).

The position of the Examiner can be found on page 2 of the Office Action.

Applicants respectfully traverse.

Applicants reviewed the '636 reference and note that the reference teaches:

- 1) an adhesive pad 34 (column 5, lines 8-11 and 48-50);
- 2) a securing element 40 **for anchoring the catheter 16** (column 5, lines 29-33);
- 3) a carrier element 42 (Figures 2 and 4) **for anchoring the catheter 16**; and
- 4) the securing element is applied to the pad (Figures 2 and 4).

First, Applicants note that the Examiner indicated that element 34 correspond to the securing element. The Examiner is wrong, element 34 corresponds to the pad.

The cited reference teaches two securing elements (40, 42) for anchoring the catheter but fail to teach a carrier element for

anchoring a filter or the filter itself.

The following remarks are addressed to the sole rejected independent claim, Claim 13, because if Claim 13 is not anticipated, it follows that none of the other rejected dependent claims are anticipated.

Compared with Claim 13 (old Claim 1), the reference fails to teach: 1) the carrier element for anchoring the filter; 2) the filter itself; and 3) the securing element and the carrier element interconnect.

Applicants note that the Examiner indicated that the securing element includes a first coupling opening 50, which is releasable connectable with a second coupling plug (62, 64) on the carrier element.

Applicants note that the plug (62, 64) **are an integral element of the catheter 16** (Figure 4 and column 6, lines 3-28) and not of the carrier element as indicated by the Examiner.

Claim 13 requires that the carrier element and the securing element to interconnect between them.

Nowhere in the references can the teaching of interconnecting the carrier element and the securing element be found.

Regarding Claim 25

Compared with Claim 25 the reference **further fails to teach** that the carrier element is **in direct contact with the securing element**.

Regarding Claim 26

Compared with Claim 26 the reference **further fails to teach** that the carrier element and the securing element are located in different planes.

The reference teaches that the carrier element and the securing element are located one next to the other (same plane), but there are not in contact; thus, there is no technological motivation to interconnect the elements by adding interconnecting matching ends.

Accordingly, withdrawal of the rejection is respectfully requested.

Claims Rejections (Anticipation)

The Examiner rejects Claims 1-6 under 35 U.S.C. 102(b) as being anticipated by Bierman (USPN 5,354,282).

The position of the Examiner can be found on page 3 of the Office Action.

Applicants respectfully traverse.

The following remarks are addressed to the sole rejected independent claim, Claim 13, because if Claim 1 is not anticipated, it follows that none of the other rejected dependent claims are anticipated.

Compared with Claim 13 (old Claim 1), the reference fails to teach: 1) the carrier element for anchoring the filter; 2) the filter itself; and 3) the securing element and the carrier element interconnect.

Applicants note that the Examiner indicated that the securing element includes a first coupling opening 50, which is releasable connectable with a second coupling plug (62, 64) on the carrier element.

Applicants note that the plug (62, 64) **are an integral element of the catheter 16** (Figure 4 and column 6, lines 3-28) and not of the carrier element as indicated by the Examiner.

Claim 13 requires that the carrier element and the securing element to interconnect between them.

Nowhere in the references can the teaching of interconnecting the carrier element and the securing element be found.

Regarding Claim 25

Compared with Claim 25 the reference **further fails to teach** that the carrier element is **in direct contact with the securing element**.

Regarding Claim 26

Compared with Claim 26 the reference **further fails to teach** that the carrier element and the securing element are located in different planes.

The reference teaches that the carrier element and the securing element are located one next to the other (same plane), but there are not in contact; thus, there is no technological motivation to interconnect the elements by adding interconnecting matching ends.

Accordingly, withdrawn of the rejection is respectfully requested.

Claims Rejections (Obviousness)

The Examiner rejects Claims 7 and 10 under 35 U.S.C. 103(a) as being unpatentable over Bierman (USPN '282 and '636, respectively).

The position of the Examiner can be found on page 3 of the Office Action.

Applicants respectfully traverse for the same reasons as set forth above and the following remarks.

U.S. Application No.: 10/716,281
AMENDMENT A

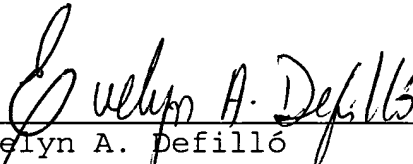
Attorney Docket No.: 2368.153

The references taken alone or in combination fail to teach the present invention, because both references fail to teach: **the carrier element for anchoring the filter; 2) the filter itself; and 3) the securing element and the carrier element interconnect.**

Accordingly, withdrawal of the rejection is respectfully requested.

All claims are now in condition for allowance. Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,


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Date: **November 22, 2005**

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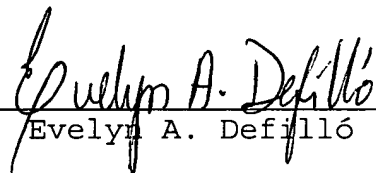
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CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing AMENDMENT A for U.S. Application No. 10/716,281 filed November 18, 2003, was deposited in first class U.S. mail, with sufficient postage, addressed to: Attn: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450, on **November 22, 2005**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Evelyn A. DeFillio